

**No. 15-1918**

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**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

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BECTON, DICKINSON & CO.,

*Plaintiff - Appellant,*

v.

BAXTER INTERNATIONAL, INC.

*Defendant - Appellee.*

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Appeal from the United States District Court for the Western District of Texas  
Case No. 1:14-cv-00222-LY, Judge Lee Yeakel

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**UNOPPOSED MOTION FOR EXTENSION OF TIME FOR FILING  
APPELLEE'S RESPONSE BRIEF**

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*Attorneys for Defendant - Appellee*

October 21, 2015

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Pursuant to Federal Rule of Appellate Procedure and Federal Circuit Rules 26(b) and 27, Appellee Baxter International, Inc. (“Baxter”), hereby moves the Court for a 14-day extension of time to file Baxter’s response brief on appeal (“Response Brief”), thereby extending the due date from Friday November 27, 2015, to Friday December 11, 2015.

The extension of time is necessary to allow counsel adequate time to prepare Baxter’s Response Brief, and will accommodate counsels’ pre-existing professional deadlines and commitments. No prior extensions of time have been sought or obtained by either party. Counsel for Appellant Becton, Dickinson & Co. have indicated they do not oppose this extension request.

For the foregoing reasons, Baxter respectfully requests that the time within which it must file its Response Brief be extended by 14 days up to and including Friday December 11, 2015.

Dated: October 21, 2015      Respectfully submitted,

/s/ Michael J. Abernathy

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**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Becton, Dickinson and Co. v. Baxter International, Inc.

No. 15-1918

**CERTIFICATE OF INTEREST**

Counsel for the Appellee, Baxter International, Inc., certifies the following:

1. The full name of every party or amicus represented by me is:

Baxter International, Inc.

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:

N/A.

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

Baxter International, Inc. has no parent company.

4. The names of all the law firms and partners and associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this Court are:

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 21, 2015, a true and correct copy of the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME FOR FILING APPELLEE'S RESPONSE BRIEF** was electronically filed and served through the Court's ECF system to all counsel of record in this case.

/s/ Michael J. Abernathy  
Michael J. Abernathy